

PATENT  
13054.02620  
Express Mail Label No. EL 845469643 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Elaine TOBIN, et al.

Serial No: (Not Assigned; parent: 08/843,572)

Filed: February 25, 2002

For: PHOTOCROME REGULATED  
TRANSCRIPTION FACTOR FOR CONTROL  
OF HIGHER PLANT DEVELOPMENT

Art Unit: (Not Assigned)

Examiner: (Not Assigned)

**POWER OF ATTORNEY BY ASSIGNEE AND  
EXCLUSION OF INVENTOR UNDER RULE 3.71**Box PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The undersigned Linda S. Stevenson is a representative authorized to sign on behalf of the assignee of the entire interest in the above-identified subject application, The Regents of University of California, and hereby appoints:

*J. William Wigert, Reg. No. 24,582; JoAnne Redmann, Reg. No. 31,482; Stefan J. Kirchanski, Reg. No. 36,568; Nathan P. Koenig, Reg. No. 38,210; Doyle B. Johnson, Reg. No. 39,240; John W. Carpenter, Reg. No. 39,129; and Tobi C. Clinton, Reg. No. 43,553,*

and all of the firm of Crosby, Heafey, Roach & May as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith; said appointment to be to the exclusion of the inventor and his attorney in accordance with the provisions of Rule 32 of the Patent Office Rules of Practice.

The Regents of University of California, per 37 C.F.R. § 3.73(b), certifies that the evidentiary documents with respect to its ownership have been reviewed and that to the best of the undersigned's knowledge and belief, title is in the assignee seeking this action.

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PATENT

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The Regents of University of California, declares that 100% ownership is established by the assignment filed for recordation on December 26, 1997, a copy of which is attached.


Please direct all telephone calls to Stefan J. Kirchanski at (310) 734-5403 and all correspondence relative to said application to the following address:

Stefan J. Kirchanski  
1901 Avenue of the Stars, Suite 700  
Los Angeles, CA 90067  
Phone: (310) 734-5200  
Fax: (310) 734-5299

ASSIGNEE: The Regents of University of California

Date: February 25, 2002

Signature:

  
Title: Manager, Patent Prosecution  
Address: 1111 Franklin Street, 5th floor  
Oakland, CA 94607-5200

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# ASSIGNMENT

P601-D 36315.60100

UCLA Case No. LA97-073-1

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. Elaine Tobin
2. Zhi-Yong Wang
3. Lin Sun
4. \_\_\_\_\_

hereby sells, assigns and transfers to ASSIGNEE, The Regents of the University of California, a California Corporation, having its statewide administrative offices located at 300 Lakeside Drive, 22nd Floor, Oakland, California 94612-3550, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

## **Phytochrome Regulated Transcription Factor for Control of Higher Plant Development**

and which is found in

- (a) \_\_\_\_\_ U.S. provisional application filed herewith and listing the above named persons as inventors
- (b) \_\_\_\_\_ U.S. patent application filed herewith and listing the above named persons as inventors
- (c) X U.S. application serial no. 08/843,572, filed on April 18, 1997
- (d) \_\_\_\_\_ U.S. Patent No.: \_\_\_\_\_, issued \_\_\_\_\_

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that the ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

Signature of Inventor(s)

5<sup>th</sup> day of June, 1997

Elaine Tobin  
Elaine Tobin

10<sup>th</sup> day of June, 1997

Zhi-Yong Wang  
Zhi-Yong Wang

9<sup>th</sup> day of June, 1997

Lin Sun  
Lin Sun

\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_

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Docket No.  
P601-D 36315.60100

# Declaration For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**PHYTOCHROME REGULATED TRANSCRIPTION FACTOR FOR CONTROL OF HIGHER PLANT DEVELOPMENT**

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on April 18, 1997 as United States Application No. or PCT International Application Number 08/843,572 and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

NONE

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

NONE

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

NONE

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full name of sole or first inventor <b>Elaine Tobin</b>	<i>Elaine Hei</i>	<i>June 5, 1997</i>
Sole or first inventor's		Date
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Full name of second inventor, if any <b>Lin Sun</b>		
Second inventor's signature	<i>LS</i>	<i>June 9, 1997</i>
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Citizenship <b>China</b>		
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Third inventor's signature		Date
Residence <b>Los Angeles, California</b>		
Citizenship <b>China</b>		
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Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	